

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office NOV 02 1989

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed NOV 02 1989

The applicant City of Elko, Nevada

1751 College Avenue, of Elko,  
Street and No. or P.O. Box No. City or Town

Nevada 89801, hereby make application for permission to appropriate the public  
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground Well No. 38  
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 5.0 CFS second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet \_\_\_\_\_

3. The water to be used for Municipal Water Supply (City of Elko Water System)  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated \_\_\_\_\_

(b) Stockwater, state number and kinds of animals to be watered \_\_\_\_\_

(c) Other use (describe fully under "No. 12. Remarks") \_\_\_\_\_

(d) Power:

(1) Horsepower developed \_\_\_\_\_

(2) Point of return of water to stream \_\_\_\_\_

5. The water is to be diverted from its source at the following point SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 31,  
Describe as being within a 40-acre subdivision of public  
T. 35 N., R. 56 E., M.D.B.&M., at a point from which the W $\frac{1}{2}$  corner of said  
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

Section 31 bears S. 32° 48' 56" W., 348.51 feet.

6. Place of use See attachment  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, pump and motor, and through  
State manner in which water is to be diverted, i.e. diversion structure, ditches and  
14" ductile iron pipe into Elko City water system.  
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$120,000

10. Estimated time required to construct works... 3 years

If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use... 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Underground Well No. 38 will be used for municipal water supply to the City of  
Elko (population of approximately 17,000 people).

Boyack Surveying, Agent  
 By s/Duane V. Merrill  
515 South Fifth Street  
Elko, NV 89801

Compared... bk/ bp bp/vw

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0 cubic feet per second, but not to exceed 630.72 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before August 3, 1990

Proof of completion of work shall be filed on or before September 3, 1990

Application of water to beneficial use shall be made on or before August 3, 1995

Proof of the application of water to beneficial use shall be filed on or before September 3, 1995

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed SEP 28 1990

Proof of beneficial use filed FEB 12 2001

Cultural map filed.....

Certificate No. 15991 Issued JAN 17 2002

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.

State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 18th day of May,

A.D. 19 90

*[Signature]*  
 State Engineer

Attest By: Port 127161 1.168

(PERMIT TERMS CONTINUED)

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 48277, 49515, 51994, 51995, 52854, 53765 and 54142 shall not exceed 630.72 million gallons annually.



## PLACE OF USE FOR APPLICATION

Portions of the W $\frac{1}{2}$  SE $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$  Section 30; Portions of NW $\frac{1}{4}$ , W $\frac{1}{2}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 31, T 35 N, R 56 E, MDB & M. A portion of E $\frac{1}{2}$  SE $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 36, T 35 N, R 55 E, MDB & M.; A portion of NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 6, T 34 N, R 56 E, MDB & M.; NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , Portions of S $\frac{1}{2}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 1; Portions of NE $\frac{1}{4}$  SE $\frac{1}{4}$ , S $\frac{1}{2}$  SE $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 2; SW $\frac{1}{4}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$ , A portion of NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 3; SE $\frac{1}{4}$  of Section 4; A portion of SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8; All of Sections 9, 10 and 11; A portion of NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 12; All of Sections 13, 14, 15 and 16; E $\frac{1}{2}$ , S $\frac{1}{2}$  SW $\frac{1}{4}$ ; A portion of N $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 17; N $\frac{1}{2}$  NE $\frac{1}{4}$ , Portions of S $\frac{1}{2}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 20; NE $\frac{1}{4}$ , Portions of NW $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 21; N $\frac{1}{2}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 22; N $\frac{1}{2}$  of Section 23; NW $\frac{1}{4}$  of Section 24, All in T 34 N, R 55 E, MDB & M.

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